**South Carolina General Assembly**

125th Session, 2023-2024

**S. 393**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Rice, Stephens and Fanning

Companion/Similar bill(s): 5061

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Introduced in the Senate on January 17, 2023

Currently residing in the Senate Committee on **Judiciary**

Summary: Failure to stop

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/17/2023 Senate Introduced and read first time (Senate Journal‑page 5)

 1/17/2023 Senate Referred to Committee on **Judiciary** (Senate Journal‑page 5)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=393&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/17/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/393_20230117.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO the offense of FAILURE TO STOP MOTOR VEHICLEs WHEN SIGNALED BY LAW ENFORCEMENT VEHICLEs, SO AS TO PROVIDE PENALTIES WHEN VEHICLES LEAD OFFICERS ON HIGH-SPEED PURSUITS WHICH have been VIDEO RECORDED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑5‑750(A) and (B) of the S.C. Code is amended to read:

 (A) In the absence of mitigating circumstances, it is unlawful for a motor vehicle driver, while driving on a road, street, or highway of the State, to fail to stop when signaled by a law enforcement vehicle by means of a siren or flashing light. An attempt to increase the speed of a vehicle or in other manner avoid the pursuing law enforcement vehicle when signaled by a siren or flashing light is prima facie evidence of a violation of this section. Failure to see the flashing light or hear the siren does not excuse a failure to stop when the distance between the vehicles and other road conditions are such that it would be reasonable for a driver to hear or see the signals from the law enforcement vehicle.

 (B) A person who violates the provisions of subsection (A):

 (1) for a first offense where no great bodily injury or death resulted from the violation, is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars or imprisoned for not less than ninety days nor more than three years. The Department of Motor Vehicles must suspend the person’s driver’s license for at least thirty days; or

 (2) for a second or subsequent offense where no great bodily injury or death resulted from the violation, is guilty of a felony and, upon conviction, must be imprisoned for not more than five years. The person’s driver’s license must be suspended by the department for a period of one year from the date of the conviction; or

 (3) additionally, if found to have led a law enforcement officer on a high‑speed pursuit which was recorded on a law enforcement vehicle video recording device or on an officer’s body‑worn camera, or both, is guilty of a felony and, upon conviction, must be imprisoned for a mandatory minimum period of not less than three years and not more than five years, no part of which may be suspended. The person’s driver’s license must be suspended by the department for a period of one year from the date of the conviction.

SECTION 2. This act takes effect upon approval by the Governor.

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